

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON AT TACOMA

SCOTT FLETCHER

Plaintiff,

v.

F/V ALMA JAYNE, O.N. 959096, HER
ENGINES, MACHINERY,
APPURTENANCES, ETC., *IN REM*;

and

AARON J. BROCKHOFF; KENNETH
CHRISTENSEN AND BERNICE
CHRISTENSEN, *IN PERSONAM*,

Defendants.

IN ADMIRALTY

No. 07-cv-5429 FDB

STIPULATION AND ORDER FOR
TRIAL CONTINUANCE

[CLERK'S ACTION REQUIRED]

STIPULATION

The parties hereto, by and through their counsel of record herein, stipulate to a trial continuance in this matter for the reason that Plaintiff, a Jones Act Seaman injured while working on the deck of a Washington Coast Dungeness Crab vessel, has only recently

STIPULATION AND ORDER FOR TRIAL CONTINUANCE

undergone surgery as part of the treatment for injuries he alleges he received on the defendant vessel, the F/V ALMA JAYNE.

The parties expect that Plaintiff's condition will become stable within the next 45 days under the treatment of Dr. Sacks, which will allow a proper evaluation of his damages claim. Once Plaintiff's medical condition is stable, the parties will proceed to mediation promptly. The parties jointly request that trial be postponed for approximately 120 days, or as soon thereafter as this Court's schedule will allow, but not during the period between June 15, 2009 and July 15, 2009, during which time Plaintiff hopes to be able to participate in the Bristol Bay Sockeye Salmon fishery.

DATED this 31st day of March, 2009.

HOLMES WEDDLE & BARCOTT

By: //s/
Michael H. Williamson WSBA # 4158
Attorneys for Defendants

GIBBONS & ASSOCIATES, P.S.

By //s//
Attorneys for Plaintiff

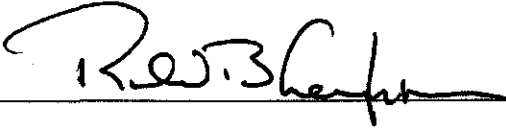
ORDER

The parties hereto have stipulated to postponement of the trial herein based upon the joint representation that Plaintiff has recently undergone surgery related to his injuries he alleges he suffered while employed as a deckhand on the F/V ALMA JAYNE. Based upon the parties' representation and in light of the fact that mediation has not yet occurred in this case as required by Local Rule 39.1, and the fact that the defense needs an opportunity to conduct an independent medical exam of Plaintiff, it is hereby

ORDERED that the trial of this matter be postponed until the 5th day of October, 2009 at 9:00 AM. Plaintiff shall supplement his discovery responses with regard to

1 his medical condition and claim of damages and expert opinions no later than April 28, 2009.
2 Defendants may supplement their expert opinions no later than May 28, 2009. The parties
3 shall participate in mediation no later than June 17, 2009. Motions *in limine*, the proposed pre-
4 trial order and proposed findings of fact and conclusions of law shall be filed no later than
5 September 3, 2009. The pre-trial conference herein shall be held September 11, 2009 at 2:00
6 PM.

7
8 Dated this 1st day of April, 2009.

9
10 By 
11 Judge, United States District Court